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U.S. PTO
1997-2001

10/045318 PTO
JC872 U.S. PTO
11/09/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application) PATENT APPLICATION
Inventor(s): Stephen P. DeOrnellas)
Leslie G. Jerde)
Alferd Cofer)
Appl. No.: Unknown)
Filed: Herewith)
Title: METHOD FOR USING A HARD MASK) Customer No. 23910
FOR CRITICAL DIMENSION)
GROWTH CONTAINMENT)

CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 C.F.R. §1.10

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Date of Mailing: November 9, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service, utilizing the "Express Mail Post Office to Addressee" service addressed to **Box PATENT APPLICATION, Commissioner for Patents, Washington, DC 20231** and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.

 (Signature)

Johann S. Mercado
Signature Date: November 9, 2001

CONTINUATION APPLICATION TRANSMITTAL LETTER
UNDER 37 C.F.R. §1.53(b)(1)

Box PATENT APPLICATION
Commissioner for Patents
Washington, DC 20231

Dear Sir:

Transmitted herewith for filing as a ✓ continuation divisional application under the continuing application procedure of 37 C.F.R. §1.53(b)(1) is a patent application identified as follows:

Title: METHOD FOR USING A HARD MASK FOR
CRITICAL DIMENSION GROWTH CONTAINMENT

Inventor(s): Stephen P. DeOrnellas, Leslie G. Jerde, Alferd Cofer

No. of Pages in Specification: 21, No. of Claims: 41.

No. of Sheets of Drawings: 2; Formal: ✓ or Informal: .

Identification of Prior Complete Application

Appl. No.: 09/692,007 Art Unit: 1765
Filed: October 19, 2000 Examiner: L. Umez-Eronini
Title: METHOD FOR USING A HARD MASK FOR CRITICAL DIMENSION GROWTH CONTAINMENT
Inventor(s): Stephen P. DeOrnelas, Leslie G. Jerde, Alferd Cofer

Delete the Following Inventor(s) for This Application: (none)

Declaration

A copy of the Declaration (signed by all inventors) and the Prior Complete Application and Figures are submitted herewith.

Amendments

Please CANCEL in this application original claims 2-41 of the prior complete application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.) However, if this instruction results in cancellation of all original claims, please instead retain the lowest numbered original claim.

Please AMEND the specification by deleting the amendatory sentence before the first line of the application and inserting therefor: "This application is a continuation of Serial No. 09/692,007 filed October 19, 2000, which is a continuation of Serial No. 09/009,369, filed January 20, 1998."

A preliminary amendment is enclosed. Please enter the preliminary amendment before calculating the application filing fee. (Claims added must be consecutively numbered beginning with next number after highest number in prior complete application.)

Petition for Extension of Time to Respond

No extension of time is required for the prior complete application.

Power of Attorney

A power of attorney appears in the prior complete application.

Assignment

The prior application is assigned of record to:
Tegal Corporation

TEGL-1082US3
FEB 2000
1082US3 001.wpd

Claim of Priority

Priority of foreign application Serial No. _____, filed on _____, in _____
is claimed under 35 U.S.C. §1.119.

The certified copy was filed in prior U.S. application Serial No. _____, filed _____

Small Entity Statement

Statement claiming small entity status was filed in the parent application Serial No. 09/009,369, on August 17, 1998 and its benefit under 37 C.F.R. §1.28(a) is hereby claimed.

Also Enclosed Are:

____ An Information Disclosure Statement under 37 C.F.R. §1.56.

Filing Fee

The continuation/divisional patent application filing fee is calculated as shown below:

| No. Filed | No. Extra | Rate Small Entity/ Other Than Small Entity | |
|--|--------------|---|------------|
| Basic Fee | | \$370.00 \$740.00 | = \$370.00 |
| Total Claims <u>1</u> ** - 20 | = <u>0</u> * | X \$ 9.00 \$ 18.00 | = \$-0- |
| Independent Claims <u>1</u> ** - 3 | = <u>0</u> * | X \$ 42.00 \$ 84.00 | = \$-0- |
| First Presentation of Multiple Dependent Claim(s) _____ | | \$140.00 \$280.00 | = \$ |
| Total PATENT APPLICATION FILING FEE: | | | \$370.00 |

* If the difference is less than zero, enter "0".

** Count claims after any amendment.

Method of Payment of Fees

The total fee associated with this communication is calculated as follows:

| | |
|-------------------------------|----------|
| Patent application filing fee | \$370.00 |
| Net fee for extension of time | \$ |
| (See attached petition) | |
| Assignment recordal fee | \$ |
| (See attached cover sheet) | ===== |
| TOTAL FEE DUE: | \$370.00 |

- A check in the amount of the TOTAL FEE DUE is enclosed.
- The Commissioner is hereby authorized to charge underpayment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1325. A **duplicate** copy of this CONTINUATION OR DIVISIONAL APPLICATION TRANSMITTAL LETTER UNDER 37 C.F.R. §1.53(b)(1) form is enclosed.

Correspondence Address

All correspondence should be addressed as follows:

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Direct all telephone calls to the undersigned attorney at (415) 362-3800.

Respectfully submitted,

Date: 1/20/04

By: JD Lohr
Jason D. Lohr
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